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CARDIOCOM, LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ROBERT BOSCH HEALTHCARE
SYSTEMS, INC.,

Plaintiff,

v.

CARDIOCOM, LLC,

Defendant-Counterclaimant.

CASE NO. 3:14-CV-01575-EMC

**JOINT STIPULATION TO CONTINUE
HEARING DATE ON PLAINTIFF'S
MOTION TO DISQUALIFY
MERCHANT & GOULD**

Pursuant to Civil Local Rules 7-12, Plaintiff Robert Bosch Healthcare Systems, Inc. and Defendant Cardiocom, LLC ("Cardiocom") hereby submit this Joint Stipulation Requesting Continuance of Hearing on Plaintiff's Motion to Disqualify Merchant & Gould. *See* Dkt. No. 59. The hearing on that motion is presently scheduled for May 22, 2014. *See* Dkt. No. 89. The parties request that the hearing be continued to May 29, 2014.

This stipulation to continue the hearing date is requested to accommodate a scheduling conflict that Cardiocom's lead counsel has on May 22. Cardiocom's lead counsel, Daniel McDonald of the Merchant & Gould firm, has indicated that he will be in Minnesota on that date to take the deposition of Plaintiff's technical expert relating to his testimony submitted by Plaintiff to the U.S. Patent Office Patent Trial and Appeal Board in ongoing *inter partes* review ("IPR") proceedings concerning patents asserted in this litigation. The parties agreed to the date and location of this deposition prior to the Court's setting of the hearing date to May 22, and Plaintiff's counsel has indicated that the witness is unable to reschedule.

The requested continuance shall not otherwise affect scheduling issues for the case.

IT IS SO STIPULATED, through counsel of record:

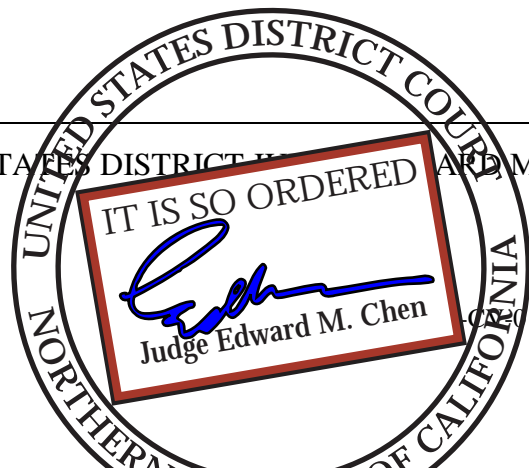
DATED: May 9, 2014 /s/ Bas de Blank
Counsel for Plaintiff Robert Bosch Healthcare Systems, Inc.

DATED: May 9, 2014 /s/ Timothy G. Majors
Counsel for Defendant Cardiocom, LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED that the hearing on Plaintiff's Motion to Disqualify Merchant & Gould is continued to May 29, 2014:

Dated: May 12, 2014

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA



JOINT STIPULATION TO CONTINUE HEARING DATE ON PLAINTIFF'S MOTION TO DISQUALIFY MERCHANT & GOULD

ATTESTATION OF CONCURRENCE IN FILING

I, Timothy G. Majors, am the ECF User whose identification and password are being used to file this Joint Stipulation. In compliance with Local Rule 5-1(i)(3), I hereby attest that Bas de Blank of Orrick, Herrington & Sutcliffe LLP has concurred in this filing.

DATED: May 9, 2014

/s/ Timothy G. Majors
Timothy G. Majors

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2014, a true and correct copy of the foregoing document is being filed electronically with the Clerk of the United States District Court for the Northern District of California by using the CM/ECF system, which will send notice of such filing to all counsel of record.

Date: May 9, 2014

/s/ Timothy G. Majors
Timothy G. Majors